

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Law (Home - Court.A) Department - Andhra Pradesh State Judicial Service - Junior Civil Judges - Sri S. Mohan Rao, former Principal Junior Civil Judge, Mancherial, Adilabad District, then Junior Civil Judge, Chevella, Rangareddy District, now under suspension and now the officer allocated to the Andhra Pradesh State - Two regular departmental enquiries ordered against the officer - Enquiry reports together with entire record of enquires in both the departmental enquiries received - Considered - Show cause notices issued to the charged officer in both the enquiries calling for his written representations on the findings and recorded against him in both the Enquiry Reports - Considered - Written representations of the charged officer received - Considered - Recommendation for imposition of major penalty of removal from service upon the officer - Received - Imposition of penalty of "**Removal from service**" against the officer on the recommendation of High Court of Andhra Pradesh - Orders - Issued.

LAW (L AND LA&J-HOME-COURTS.A)DEPARTMENT

G.O.Ms.No.125

Dated:10-07-2023

Read:

From the Registrar (Vigilance), High Court of Andhra Pradesh,
Lr.Roc.No.2098/2016 & 2662/2017-VIGILANCE CELL,
dated:29.05.2023.

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ORDER:

Whereas, in the letter read above, the Registrar (Vigilance), High Court of Andhra Pradesh, Amaravati has stated that the High Court having considered the complaint petitions of Presidents, Bar Association, Mancherial, Adilabad District, Telangana State and complaint petition of Smt. L.M. Saritha, Personal Assistant/Stenographer Grade-III, Junior Civil Judge's Court, Chevella, Rangareddy District, Telangana State against Sri S. Mohan Rao, former Principal Junior Civil Judge, Mancherial, Adilabad District, then Junior Civil Judge, Chevella, Rangareddy District, now under suspension and now the officer allocated to the Andhra Pradesh State and subsequent preliminary enquiry report of the Registrar (Inquiries), High Court of Judicature at Hyderabad, two departmental enquiries were conducted by framing of articles of charges. Pursuant to complaint petition of the Presidents, Bar Association, Mancherial, Adilabad District, Telangana State, the following Eight Articles of charges were framed against the said officer:

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ARTICLE OF CHARGE NO.1:

- (i) The officer did not maintain decorum of the court and behaved adamantly and indecently towards senior advocates in the public court, and
- (ii) immediately after assuming charge as Principal Junior Civil Judge, Mancherial, began to pass orders by receiving bribes from the parties and accepting bribes through Sri Umesh Rao, Head Clerk and Sri Raghu, Process Server of the court, and
- (iii) then having developed relationship with one Sri Vengal Rao, R/o. Mancherial, induced the local advocates and litigant public through the said mediator for getting favourable orders by taking bribe,

thus, acted in such a manner against the judicial ethics for extraneous consideration.

ARTICLE OF CHARGE NO.2:

While so, after assuming charge as Principal Junior Civil Judge, Mancherial,

- (i) started harassing the litigant public as well as practicing advocates including Assistant Public Prosecutor attached to your court and used filthy language against them; and
- (ii) began to collect bribe from the litigant public and in that behalf convicting the accused in criminal cases whoever fails to part with the demanded bribe amount and also used to pass adverse orders in civil cases against the parties who failed to pay the bribe amount, and

thus, acted in such a manner against the judicial ethics for extraneous consideration

ARTICLE OF CHARGE NO.3:

While so, in CC.No.384/2015, since the accused Sri Siripuram Ravi did not pay the demanded amount as bribe through mediator, he passed orders convicting the said Siripuram Ravi and subsequently even though suspension of sentence petition was allowed and sureties were accepted, he sent the accused Sri Siripuram Ravi to the jail with conviction warrant, thus, acted in such a manner against the judicial ethics for extraneous consideration.

ARTICLE OF CHARGE NO.4:

While so, in OS.No.200/2013, though, initially, he dismissed the petition filed for grant of temporary injunction vide IA.No.540/2013 on 01-05-2014 filed by Sri M. Ravinder Rao, advocate, on behalf of Sri Krishna Raghava Rao, the plaintiff herein, by holding that the plaintiff was not having title and possession, but subsequently when Sri Krishna Raghava Rao, the plaintiff engaged another advocate, by name, Sri G. Kotamalliah, passed orders on 23-02-2016 decreeing the suit in favour of the plaintiff, by collecting Rs.11 Lakhs as bribe through Sri Umesh Rao, Superintendent of your court and thus, acted against the judicial ethics in a biased manner for extraneous consideration.

ARTICLE OF CHARGE NO.5:

While so, contrary to the orders passed by the High Court in SA.No.333/1997, you passed judgment, dated 16-11-2015 in OS.No.695/2005 (old OS.No.193/2004), decreeing the suit in favour of the plaintiff, as second round of litigation even though the previous suit was finally disposed of by the High Court, by taking illegal gratification from the plaintiff therein and thus, acted against the judicial ethics in a biased manner for extraneous consideration.

ARTICLE OF CHARGE NO.6:

While so, in 5 suits viz., OS.Nos.122/2014, 123/2014, 133/2014, 137/2014 & 138/2014, being represented by Sri J. Shankaraiah, Advocate, Mancheri on behalf of plaintiffs therein and during the course when those 5 suits were pending for judgment, one of his mediator, who happens to be an advocate, on his instructions, contacted Sri Mutte Rajesham, Ex-Sarpanch of Mancheri to the effect that if Rs. 5 Lakhs for each suit was paid as bribe, all those 5 suits would be decreed in their favour; that when the said proposal was refused by Sri Mutte Rajesham, he dismissed all the 5 suits detriment to the interest of the plaintiffs and thus, acted against the judicial ethics in a biased manner for extraneous consideration.

ARTICLE OF CHARGE NO.7:

While so, during the course of proceedings in OS.No.171/2013 represented by its counsel Sri Dega Ravinder, Advocate,

- (i) he induced his mediators, namely, Sri Raghupathi, Process server, Sri Umesh Rao, Superintendent and Sri Vengal Rao to approach Sri Dega Ravinder for settlement of a deal for certain amount for passing favourable orders and as per his instructions they approached Sri Dega Ravinder, Advocate with a proposal for getting a favourable order for certain amount as bribe and since the said deal was not materialized, and
- (ii) while so, when the suit was reserved for judgment the very same persons, as per his instructions, approached Sri Dega Ravinder, Advocate for a deal for getting favourable orders, on 3 to 4 occasions as the other side party was ready to pay Rs.25 lakhs and ultimately he dismissed the suit on 08-07-2016 along with the petition filed to reopen the matter, and thus, acted against the judicial ethics in a biased manner for extraneous consideration.

ARTICLE OF CHARGE NO.8:

While so, in OS.No.445/2005 filed by Jatti Shankaramma & another against Sri E. Shankar, R/o. Mancherla, he having taken bribe from the plaintiff therein, decreed the suit in favour of the plaintiff detriment to the interest of the defendants therein and

thus, acted against the judicial ethics in a biased manner for extraneous consideration.

2. And whereas, on considering the written statement of the Charged Officer, a regular departmental enquiry has been ordered against the Charged Officer by entrusting the enquiry to Principal District Judge, Kadapa to conduct the enquiry in to the charges framed against the Charged Officer. The Enquiry Officer-cum-Principal District Judge, Kadapa after conducting the enquiry, submitted his report together with entire record of enquiry holding that the charge Nos.1 & 2 are proved and the charge No.7 is proved in part and charge Nos.3 to 6 & 8 are not established.

3. And whereas, pursuant to complaint petition of Smt. L.M. Saritha, Personal Assistant/Stenographer Grade-III, Junior Civil Judge's Court, Chevella, Rangareddy District, Telangana State, initiated disciplinary proceedings against the officer besides placing him under suspension and the following two articles of charges were framed :

ARTICLE OF CHARGE No. 1.

The officer while working as such, during the relevant period,

- (i) insisted Smt. L.M. Saritha, Personal Assistant attached to your court that she being a Stenographer should be available 24 hours a day any time during the day and at any time during night hours, and
- (ii) you made her to attend the duty at 8:00 a.m., and after office hours remained her in your official residence till 8:00 p.m., and
- (iii) threatened her to stay at Chevella or else an adverse report would be sent to the Principal District Judge, Rangareddy, against her and in that behalf, on many occasions, you also offered to pay monthly rent of Rs.3,500/-.
- (iv) advised her to leave the family, if she chooses to continue as stenographer or leave the job to be with her family and
- (v) used to abuse the Attender of your court in the presence of Smt. L.M. Saritha, in an un-parliamentary language and also abused Smt. L.M. Saritha in the open court after giving dictation in connection with a judgment, and
- (vi) insisted her to complete the given dictation of docket orders in about 200 cases in a day, that apart dictation of judgments and expected the same to be completed on the same day, and
- (vii) for granting EL, you insisted her to promise to stay at Chevella after the examination of Junior Civil Judge and also threatened her as to how she becomes Junior Civil Judge, and

thus, harassed Smt. L.M. Saritha, stenographer in one way or the other, intimidated and created hostile work environment to your subordinate, which is not expected of a judicial officer.

ARTICLE OF CHARGE No.2:

While so, during the relevant period, with an ill-intention to harass Smt. L.M. Saritha, Stenographer, he after having given dictation of the examination of accused under Sec. 313 Cr.P.C., in open court, insisted her to read objectionable part of the evidence as "NAA BHARTHA NANNU RATRI BED ROOM LOKI BATTALU LEKUNDA RAMANTADU, MID-NIGHT 3:00 A.M., KI HALL LO TV LO BLUE FILMS VESI ANDULO ELA CHESTRARO ALA CHEYYA MANTADU" and that apart he also used to look at her from top to bottom while giving dictation and thus acted in such a heinous manner causing embarrassment to his subordinate.

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4. And whereas, on considering the written statement of the Charged Officer, a regular departmental enquiry was ordered against the Charged Officer by entrusting the enquiry to the Principal District Judge, Kadapa to conduct the enquiry in to the charges framed against the Charged Officer. The Enquiry Officer-cum-Principal District Judge, Kadapa after conducting the enquiry, submitted his report together with entire record of enquiry holding that charge No.1 is proved and charge No.2 is not proved.

5. And whereas, the High Court having considered the Enquiry Reports together with the entire record of enquiry, issued show cause notices to the charged officer requiring him to submit his written representations on the findings and conclusions recorded against him in the Enquiry Reports. The charged officer submitted his written representations in the matter.

6. And whereas, the Full Court of Hon'ble Judges of High Court, having considered both the Enquiry Reports and written representations submitted by the charged officer on the findings and conclusions recorded against him in the Enquiry Reports and resolution dated 05.07.2022 of the Administrative Committee-II of Hon'ble Judges and concluded that the material, in particular, the gravity of charges, prima facie, guilty of grave misconduct, made a recommendation to the Government for imposition of a major penalty of removal from service upon Sri S. Mohan Rao, former Principal Junior Civil Judge, Mancherial, Adilabad District, then Junior Civil Judge, Chevella, Rangareddy District, Telangana State, now under suspension and now the officer allocated to the Andhra Pradesh State.

7. Now, therefore, the Government after careful examination of the material and considering the recommendation of the Full Court of Hon'ble Judges of High Court of Andhra Pradesh and in exercise of the powers conferred by rule 9 read with sub-rule(1) of rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991, hereby impose the penalty of **"Removal from Service"** on Sri S. Mohan Rao, former Principal Junior Civil Judge, Mancherial, Adilabad District, then Junior Civil Judge, Chevella, Rangareddy District, Telangana State, now under suspension and now the officer allocated to the Andhra Pradesh State with immediate effect.

8. Accordingly, the following notification will be published in an Extraordinary issue of Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred under clause (IX) of rule 9 read with sub-rule (1) of rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991, the Governor of Andhra Pradesh on the recommendation of the Full Court of Hon'ble Judges

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of High Court of Andhra Pradesh hereby impose the penalty of "Removal from Service" on Sri S. Mohan Rao, former Principal Junior Civil Judge, Mancherial, Adilabad District, then Junior Civil Judge, Chevella, Rangareddy District, Telangana State, now under suspension and now the officer allocated to the Andhra Pradesh State with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**G SATYA PRABHAKAR RAO
SECRETARY TO GOVERNMENT
LEGAL AND LEGISLATIVE AFFAIRS & JUSTICE
LAW DEPARTMENT**

To

The Registrar (Vigilance), High Court of Andhra Pradesh, Amaravati.

The Individual through the Registrar (Vigilance), A.P High Court,
Amaravati.

The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravati.

The Commissioner Printing, Stationery and Stores Purchase

(Publication wing) 2 copies for publication in the A.P., Gazette.

The Accountant General, Andhra Pradesh, Vijayawada.

The Director of Treasuries and Accounts, A.P., Mangalagiri.

Copy to:

The P.S. to Secretary to Governor, Raj Bhawan, Vijayawada.

The P.S. to Secretary to C.M.

The P.S. to Chief Secretary.

The P.S. to Secretary (Law).

SC/SF.

//FORWARDED:BY ORDER//


SECTION OFFICER
